AFFIDAVIT OF NON-PRODUCTION
AND NON-PAYMENT OF BONUS AND RENTALS

STATE OF WV

COUNTY OF Marshall TO-WIT:

John W. Gregory and Donna R Gregory, husband and wife, the undersigned, who after being duly sworn deposes and say:

1. That the above named are the owner(s) of all of the oil, gas in or under said lands. Described as follow; 93.44 acres, more or less in Sand Hill District, Marshall County, West Virginia.

2. That the Affiant further states that affiant is advised that the Records in the Recorder's Office indicate that the above described premises were leased for oil and gas purposes as follows:

   1. Oil and Gas Lease from Sarah E Bird and E.H. Bird to Thomas M Darrah, dated 12/20/1895 and recorded in Deed Book 50, Page 466. Term is 4 years and so much longer as oil and gas is produced in paying quantities.

   2. Oil and Gas Lease from Isaac Daughtery and Nannie Daughtery to The Virginia Oil and Gas Company, dated 6/15/1903 and recorded in Deed Book 103, Page 73. Term is 10 years and so much longer as oil and gas is produced in paying quantities.

   3. Oil and Gas Lease from I.N. Doughtery and Nannie Doughtery to James Wilson, dated 4/18/1919 and recorded in Deed Book 160, Page 104. Term is 10 years and so much longer as oil and gas is produced in paying quantities.

   4. Oil and Gas Lease from Sarah Doughtery, Nelson Doughtery, Isaac N. Doughtery, Mary McConkey, Edward Doughtery, and Bell Baker to James Wilson, dated 4/21/1919 and recorded in Deed Book 160, Page 166. Term is 10 years and so much longer as oil and gas is produced in paying quantities.

   5. Oil and Gas Lease from Cecil Doughtery, Lillie Dougherty, Goldie Davis, N.E. Dougherty, Sylvia Rusmisel and Jacob Rusmisel to Manufacturer's Light and Heat Company, dated 3/14/1929 and recorded in Deed Book 196, Page 210. Term is 10 years and so much longer as oil and gas is produced in paying quantities.

   Affiant further states that Affiant has received no delay rentals or royalties under said Lease(s) and that Affiant would refuse to accept payment of delay rentals or royalties under said Lease(s) if they were offered.

3. That the Affiant further states that there are no producing wells on the land in the Lease(s) as above referenced to and that said Lease(s) are null and void.

Further affiant saith not. DATED November 2, 2010.

WITNESS:

______________ Witness

______________ Witness

Jan Pest
MARSHALL County 10:25:40 AM
Instrument No 1297246
Date Recorded 12/21/2010
Document Type O&G
Pages Recorded 1
Book-Page 718-266
Recording Fee $5.00
Additional $6.00

AFFIANT:

John W. Gregory
John W Gregory

Donna R Gregory
Donna R Gregory

INDIVIDUAL ACKNOWLEDGMENT

STATE OF West Virginia)

) SS:

COUNTY OF Ohio)

On this, the 2nd day of November 2010, before me, the undersigned officer, personally appeared **John W. Gregory and Donna R. Gregory**, known to me (or satisfactorily proven) to be the person whose name(s) is/are subscribed to the within instrument, and acknowledged that he/she/they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires: April 14, 2018

Notary Public Gerald Ernest Poole

Name/Notary Public (print) **Gerald Ernest Poole**

Recorder: Return to Cheasapeake Appalachia, L.L.C., Land Dept., P.O. Box 18496, Oklahoma City, OK 73154-0496.

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 2nd day of November, 2010, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 21st day of December, 2010 at 10:25 o'clock A.M.

TESTE: Jan Pest Clerk.

CPS 5M 11-10